

**U.S. Department of Justice**  
*United States Attorney*  
*Western District of New York*

*Further inquiries: (716) 843-5814*

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*138 Delaware Avenue*  
*Buffalo, New York 14202*

# PRESS RELEASE

July 1, 2004

**RE: UNITED STATES v. MARK H. FLEISCHER**

United States Attorney Michael A. Battle announced today the sentencing of Dr. Mark H. Fleischer. Dr. Mark H. Fleischer, who was convicted of 18 U.S.C. § 1003, Demands Against the United States, was sentenced to a term of imprisonment of one year by United States District Court Judge Michael A. Telesca.

Assistant United States Attorney Robert G. Trusiak, who handled the case, stated the defendant had been convicted of defrauding Medicare by billing for a non-rendered office visit. The relevant conduct admitted by the defendant in the Plea Agreement also included defrauding Excellus Health Plan and Medicare for the period March 2, 1998 through April 24, 2000 for billing for non-rendered services that concerned fictitious office visits in the approximate amount of \$12,540.00. Assistant United States Attorney Robert Trusiak stated the health care system relies on the honesty and integrity of physicians. The sentence imposed by the Court demonstrates that those physicians who abuse the system for financial gain will be punished through imprisonment.

The conviction was the culmination of an investigation on the part of the Federal Bureau of Investigation, under the direction of Special Agent in Charge Peter Ahearn, Department of Health and Human Services-Office of Inspector General, and TRICARE, the government insurance program for military personnel.

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